

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CHRISTIAN BLANCHARD,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 6:23-cv-548-JDK-JDL
	§	
SMITH COUNTY JAIL, et al.,	§	
	§	
Defendants.	§	

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff, a former inmate of the Smith County Jail proceeding *pro se* and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983 about alleged violations of her constitutional rights in jail. The case was referred to United States Magistrate Judge John D. Love for findings of fact, conclusions of law, and recommendations for the disposition of the case.

On February 13, 2024, the Magistrate Judge submitted a Report and Recommendation that Plaintiff's claims against the Smith County Sheriff's Department, the Smith County Jail, and the jail's medical clinic be dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2). Docket No. 14. Plaintiff's other claims are proceeding pursuant to a separate order. Docket No. 7. A copy of the Report was mailed to Plaintiff, who did not file written objections.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire

record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Plaintiff did not object in the prescribed period. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 14) as the findings of this Court. It is therefore **ORDERED** that the Smith County Sheriff's Department, Smith County Jail, and the jail's medical clinic are dismissed from this suit for Plaintiff's failure to state a claim against them pursuant to 28 U.S.C. § 1915(e)(2). The Clerk shall terminate them as Defendants on this docket.

So **ORDERED** and **SIGNED** this **20th** day of **March, 2024**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE